

REFERENCE TITLE: change of name; application; venue

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

## **SB 1303**

Introduced by  
Senator Huppenthal

AN ACT

AMENDING SECTION 12-601, ARIZONA REVISED STATUTES; RELATING TO CHANGE OF NAME.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 12-601, Arizona Revised Statutes, is amended to  
3 read:  
4 12-601. Application; venue; judgment  
5 A. ~~When~~ A person WHO desires to change ~~his~~ THE PERSON'S name and to  
6 adopt another name, ~~he~~ may file an application in the superior court in the  
7 county of ~~his~~ THE PERSON'S residence, setting forth reasons for the change of  
8 name and the name ~~he~~ THE PERSON wishes to adopt. The court may enter  
9 judgment that the adopted name of the party be substituted for the original  
10 name. THE COURT SHALL CONSIDER THE CRITERIA UNDER SUBSECTION C OF THIS  
11 SECTION IN DETERMINING WHETHER TO ENTER JUDGMENT THAT THE ADOPTED NAME OF THE  
12 PARTY BE SUBSTITUTED FOR THE ORIGINAL NAME.  
13 B. The parent, guardian ad litem or next friend of a minor may file an  
14 application for change of the name of the minor in the county of the minor's  
15 residence. The court shall consider the best interests of the ~~child~~ MINOR  
16 AND THE CRITERIA UNDER SUBSECTION C OF THIS SECTION in determining whether to  
17 enter judgment that the name of the minor be changed.  
18 C. A PERSON WHO FILES AN APPLICATION FOR CHANGE OF NAME SHALL INCLUDE  
19 A STATEMENT, MADE UNDER PENALTY OF PERJURY, THAT:  
20 1. THE PERSON HAS NOT BEEN CONVICTED OF A FELONY.  
21 2. NO FELONY CHARGES ARE PENDING IN ANY JURISDICTION AGAINST THE  
22 PERSON FOR ANY OFFENSE UNDER TITLE 13, CHAPTER 18, 20, 21, 22, 23 OR 27 OR  
23 ANY OTHER OFFENSE INVOLVING FALSE STATEMENTS OR MISREPRESENTATIONS ABOUT THE  
24 PERSON'S IDENTITY.  
25 3. THE PERSON IS NOT KNOWINGLY CHANGING THE PERSON'S NAME TO THAT OF  
26 ANOTHER INDIVIDUAL FOR THE PURPOSE OF COMMITTING OR FURTHERING THE COMMISSION  
27 OF ANY OFFENSE UNDER TITLE 13, CHAPTER 18, 20, 21, 22, 23 OR 27 OR ANY OTHER  
28 OFFENSE INVOLVING FALSE STATEMENTS.  
29 4. THE PERSON IS MAKING THE APPLICATION SOLELY FOR THE BEST INTEREST  
30 OF THE PERSON.  
31 5. THE PERSON ACKNOWLEDGES THAT THE CHANGE OF NAME WILL NOT RELEASE  
32 THE PERSON FROM ANY OBLIGATIONS INCURRED OR HARM ANY RIGHTS OF PROPERTY OR  
33 ACTIONS IN THE ORIGINAL NAME.  
34 D. NOTWITHSTANDING ANY LAW TO THE CONTRARY, A VICTIM AS DEFINED IN  
35 SECTION 13-4401 OR A PROSECUTOR HAS STANDING TO CONTEST ANY LEGAL NAME CHANGE  
36 AT ANY TIME BEFORE THE ENTRY OF JUDGMENT OR UP TO ONE YEAR AFTER ENTRY OF  
37 JUDGMENT.  
38 E. ON ENTERING A CONVICTION FOR AN OFFENSE UNDER TITLE 13, CHAPTER 18,  
39 20, 21, 22, 23 OR 27 OR ANY OTHER OFFENSE INVOLVING FALSE STATEMENTS OR  
40 MISREPRESENTATIONS ABOUT THE PERSON'S IDENTITY, THE SUPERIOR COURT MAY ENTER  
41 AN ORDER SETTING ASIDE A CHANGE OF NAME JUDGMENT OR DENY ANY PENDING  
42 APPLICATION.